Bill No. X-94-06-11

ANNEXATION ORDINANCE NO. X- 04-94

AN ORDINANCE annexing certain territory commonly known as the Acura/Chevy Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M, Wayne Civil Township, Allen County, Indiana, and part of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 61.4 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the east line of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Allen County, Indiana, said line also being the East line of Ansley Acres (Plat Book 10B, pages 54-55, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence westerly along the northerly right of way of Illinois Road, said line also being on the boundary of the Magnavox Way Annexation Area (Ordinance No. X-03-82), to the westerly right of way of Ansley Drive (Plat Book 10B, pages 54-55, Office of the Allen County Recorder and Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93); thence northeasterly and northerly along the westerly right of way line of Ansley Drive and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93) to the southeast corner of Lot 44, Ansley Acres; thence easterly along the southerly line of Lot 44, Ansley Acres extended easterly and the southerly line of Lot 9, Ansley Acres to the southeast corner of Lot 9, Ansley Acres; thence northerly along the east line of Ansley Acres, said line also being the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana to the north line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5; thence southerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of said LaGro Reserve to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office

of the Allen County Recorder) thence southerly parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro and along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder) and said westerly line extended northerly, to the northwest corner of Tract Number 16 on said W. Carlisle Duell Survey; thence easterly along the north line of said Tract Number 16 and said north line extended easterly to the easterly right of way of LaGro Drive; thence southerly along the easterly right of way of LaGro Drive to the northwest corner of Tract Number 10 in said W. Carlisle Duell Survey, thence easterly along the northerly line of said Tract Number 10 to the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder); thence southerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Times Corner Annexation Area (Ordinance No. X-21-68); thence westerly along the northerly right of way of Illinois Road and the boundary of the Times Corner Annexation Area to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on February 28, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1994, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

SECTION 6. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 66 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program

shall be in effect for the first taxable year after December 31, 1995, and shall expire if the area is not part of the City on January 1, 1996.

SECTION 7. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 33 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the second taxable year after December 31, 1996, and shall expire if the area is not part of the City on January 1, 1997.

COUNCIL MEMBER

APPROVED AS TO FORM AND LEGALITY

J. TIMOTHY McCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council ~~Conference Room~~ 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____M., E.S.T.

DATED: 6-14-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine, ~~seconded by~~ _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 6-28-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ ~~(ZONING)~~ ORDINANCE RESOLUTION NO. X-04-94 on the 28th day of June, 1994

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Cletus R Edmonds
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1994, at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of June, 1994, at the hour of 12:30 o'clock P M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

94-06-11

THE CITY OF FORT WAYNE

FORT WAYNE - A WORLD - CLASS COMMUNITY

Paul Helmke
Mayor

Do Pass

TO: City Council Members

FROM: Alan Tepfer, Planner II

SUBJECT: Acura/Chevy Annexation

DATE: June 3, 1994

X-94-06-11

****

Attached are copies of the fiscal plan for the Acura/Chevy Annexation. The Acura/Chevy Annexation covers approximately 62 acres, contains 11 housing units and is 100 percent commercially zoned. It is over 24 percent contiguous to the city limits of Fort Wayne. The area has an assessed value of over $3,013,970 and will generate a net revenue estimated at $161,975 during the first five years it is incorporated into the City.

After considering the circumstances within the Acura/Chevy Annexation area, it's proximity and similarity to the Auto Mall Annexation area, the City of Fort Wayne has decided to offer property owners the same deferred date of annexation of February 28, 1995. Additionally, the city is offering the same tax abatement of 66% for the first year taxes due in 1996 and a tax abatement of 33% for taxes due in 1997.

Please feel free to contact Alan Tepfer at 427-1140 should you have any questions or concerns about this annexation.

of the Allen County Recorder) thence southerly parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro and along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder) and said westerly line extended northerly, to the northwest corner of Tract Number 16 on said W. Carlisle Duell Survey; thence easterly along the north line of said Tract Number 16 and said north line extended easterly to the easterly right of way of LaGro Drive; thence southerly along the easterly right of way of LaGro Drive to the northwest corner of Tract Number 10 in said W. Carlisle Duell Survey, thence easterly along the northerly line of said Tract Number 10 to the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder); thence southerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Times Corner Annexation Area (Ordinance No. X-21-68); thence westerly along the northerly right of way of Illinois Road and the boundary of the Times Corner Annexation Area to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

shall be in effect for the first taxable year after December 31, 1995, and shall expire if the area is not part of the City on January 1, 1996.

SECTION 7. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 33 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the second taxable year after December 31, 1996, and shall expire if the area is not part of the City on January 1, 1997.

Mark A. Johnson
COUNCIL MEMBER

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay
J. TIMOTHY McCAULAY, CITY ATTORNEY

Attest:
The above and foregoing is a true and perfect copy of Bill No. X-94-06-11 Annexation Ord. No. X-01-94. as the same appears and remains on record in my office.
Witness my hand and seal this 25th day of September, 1994
Sandra E. Kennedy
CLERK

Read the first time in full and on motion by Brodbury, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____M., E.S.T.

DATED: 6-14-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine, ~~seconded by~~ _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 6-28-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ ~~(ZONING)~~ ORDINANCE RESOLUTION NO. X-04-94 on the 28th day of June, 1994

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Cletus R Edmonds
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1994, at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of June, 1994, at the hour of 12:30 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. X-94-06-11

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - MARK E. GiaQUINTA - CO-CHAIR
DONALD J. SCHMIDT
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain territory commonly known as the Acura/Chevy Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Ravine/re			
GiaQuinta/re			
Schmidt/re			
Bradury/re			

DATED:

Sandra E. Kennedy
City Clerk

of the Allen County Recorder) thence southerly parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro and along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder) and said westerly line extended northerly, to the northwest corner of Tract Number 16 on said W. Carlisle Duell Survey; thence easterly along the north line of said Tract Number 16 and said north line extended easterly to the easterly right of way of LaGro Drive; thence southerly along the easterly right of way of LaGro Drive to the northwest corner of Tract Number 10 in said W. Carlisle Duell Survey, thence easterly along the northerly line of said Tract Number 10 to the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder); thence southerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Times Corner Annexation Area (Ordinance No. X-21-68); thence westerly along the northerly right of way of Illinois Road and the boundary of the Times Corner Annexation Area to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on February 28, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1994, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

SECTION 6. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 66 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program

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COUNCIL MEMBER

APPROVED AS TO FORM AND LEGALITY

J. TIMOTHY McCAULAY, CITY ATTORNEY

Attest:
The above and foregoing is a true and perfect copy of Bill No. X-94-06-11 Amended Bill No. X-04-94 as the same appears and remains on record in my office.
Witness my hand and seal this 29th day of September 1994

CLERK

Bill No. X-94-06-//

ANNEXATION ORDINANCE NO. X- 04-94

AN ORDINANCE annexing certain territory commonly known as the Acura/Chevy Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M, Wayne Civil Township, Allen County, Indiana, and part of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 61.4 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the east line of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Allen County, Indiana, said line also being the East line of Ansley Acres (Plat Book 10B, pages 54-55, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence westerly along the northerly right of way of Illinois Road, said line also being on the boundary of the Magnavox Way Annexation Area (Ordinance No. X-03-82), to the westerly right of way of Ansley Drive (Plat Book 10B, pages 54-55, Office of the Allen County Recorder and Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93); thence northeasterly and northerly along the westerly right of way line of Ansley Drive and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93) to the southeast corner of Lot 44, Ansley Acres; thence easterly along the southerly line of Lot 44, Ansley Acres extended easterly and the southerly line of Lot 9, Ansley Acres to the southeast corner of Lot 9, Ansley Acres; thence northerly along the east line of Ansley Acres, said line also being the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana to the north line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5; thence southerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of said LaGro Reserve to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office

AUDITOR'S OFFICE
FILED
SEP 29 1994
Linda K Bloom
AUDITOR OF ALLEN COUNTY

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

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COPY

94-56584

Bill No. X-94-06-11

ANNEXATION ORDINANCE NO. X- 04-94

AN ORDINANCE annexing certain territory commonly known as the Acura/Chevy Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

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ALLEN COUNTY RECORDER

94 SEP 29 PM 1:31

NC

Read the first time in full and on motion by Bradbury, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____M., E.S.T.

DATED: 6-14-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine, ~~seconded by~~ _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 6-28-94.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (~~APPROPRIATION~~) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. X-04-94

on the 28th day of June, 1994

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Clifford R Edmonds
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1994, at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of June, 1994, at the hour of 12:30 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Re:

Dear :

Per I.C. 36-4-3-22, please find attached a copy of the above noted annexation which was approved by the City Council _____. The annexation was duly published _____.

PLEASE NOTE THAT THIS ANNEXATION DOES NOT BECOME EFFECTIVE UNTIL _____.

If you have any questions concerning this annexation, please contact Gary Stair at 427-1140.

Sincerely yours,

Sandra E. Kennedy
City Clerk

ENCL:

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

July 1, 1994

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of July 5 & July 12, 1994, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne

Bill No. X-94-06-11
Annextion Ordinance No. X-04-94
Acura/Chevy Annexation Area

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

Notice is hereby given that on the 28th day of June, 19 94, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-94-06-11 Annexation Ordinance No. X-04-94 to-wit:

Bill No. X-94-06-11

ANNEXATION ORDINANCE NO. X- 04-94

AN ORDINANCE annexing certain territory commonly known as the Acura/Chevy Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M, Wayne Civil Township, Allen County, Indiana, and part of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 61.4 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the east line of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Allen County, Indiana, said line also being the East line of Ansley Acres (Plat Book 10B, pages 54-55, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence westerly along the northerly right of way of Illinois Road, said line also being on the boundary of the Magnavox Way Annexation Area (Ordinance No. X-03-82), to the westerly right of way of Ansley Drive (Plat Book 10B, pages 54-55, Office of the Allen County Recorder and Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93); thence northeasterly and northerly along the westerly right of way line of Ansley Drive and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93) to the southeast corner of Lot 44, Ansley Acres; thence easterly along the southerly line of Lot 44, Ansley Acres extended easterly and the southerly line of Lot 9, Ansley Acres to the southeast corner of Lot 9, Ansley Acres; thence northerly along the east line of Ansley Acres, said line also being the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana to the north line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5; thence southerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of said LaGro Reserve to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office

of the Allen County Recorder) thence southerly parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro and along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder) and said westerly line extended northerly, to the northwest corner of Tract Number 16 on said W. Carlisle Duell Survey; thence easterly along the north line of said Tract Number 16 and said north line extended easterly to the easterly right of way of LaGro Drive; thence southerly along the easterly right of way of LaGro Drive to the northwest corner of Tract Number 10 in said W. Carlisle Duell Survey, thence easterly along the northerly line of said Tract Number 10 to the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder); thence southerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Times Corner Annexation Area (Ordinance No. X-21-68); thence westerly along the northerly right of way of Illinois Road and the boundary of the Times Corner Annexation Area to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on February 28, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1994, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

SECTION 6. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 66 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program

shall be in effect for the first taxable year after December 31, 1995, and shall expire if the area is not part of the City on January 1, 1996.

SECTION 7. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 33 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the second taxable year after December 31, 1996, and shall expire if the area is not part of the City on January 1, 1997.

Mark E. GiaQuinta

COUNCIL MEMBER

Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Edmonds, GiaQuinta, Henry, Long, Lunsey, Ravine, Schmidt, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None

DATED: 6-28-94

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-94 on the 28th day of June, 1994

ATTEST:

Sandra E. Kennedy
City Clerk

SEAL

Cletus R. Edmonds
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1994, at the hour of 2:00 o'clock P.M.,E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 30th day of June, 1994, at the hour of 12:30 o'clock P.M.,E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-94, passed by the Common Council on the 28th day of June, 19 94, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of June, 19 94, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of June, 19 94.

SEAL

SANDRA E. KENNEDY, CITY CLERK

1994, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-94-06-11 Annexation Ordinance No. X-04-94 to-wit:

Bill No. X-94-06-11

ANNEXATION ORDINANCE NO. X-04-94

AN ORDINANCE annexing certain territory commonly known as the Acura/Chevy Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

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Mark E. GiaQuinta
COUNCIL MEMBER

Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Bradbury, Edmonds, GiaQuinta, Henry, Long, Lunsey, Ravine, Schmidt, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None
DATED: 6-28-94 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-94 on the 28th day of June, 1994

ATTEST: SEAL
Sandra E. Kennedy — Cletus R. Edmonds
City Clerk — Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1994, at the hour of 2:00 o'clock P.M., E.S.T.
Sandra E. Kennedy
City Clerk

Approved and signed by me this 30th day of June,
Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-94 passed by the Common Council on the 28th day of June, 1994, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of June, 1994, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of June, 1994.

Sandra E. Kennedy
City Clerk

7--21 #652328

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ard of Accounts — General Form No. 99P (Revised 1987)

nit) — To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

ounty, Indiana

PUBLISHER'S CLAIM

xceed two actual lines, neither of which shall total
f type in which the body of the advertisement is set)

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columns wide equals 206 equivalent lines $ 67.98

es containing rule or tabular work
t) _____

ublication ($1.00 for each proof in excess of two) _____

AIM $ 67.98

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5 ems

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nd penalties of Chapter 155, Acts 1953,

regoing account is just and correct, that the amount
r allowing all just credits, and that no part of the

Julie L Rohyans

, 19 94 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:

7/21/94

Julie L Rohyans

Subscribed and sworn to before me this 21st day of JULY, 19 94.

Anne M. Perkins

ANNE M PERKINS Notary Public
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. NOV. 29,1997

My commission expires: _____

Form Prescribed by State Board of Accounts

General Form No. 99P (Revised 1987)

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

206 lines, 1 columns wide equals 206 equivalent lines at .33 cents per line $ 67.98

Additional charge for notices containing rule or tabular work (50 percent of above amount) _____

Charge for extra proofs of publication ($1.00 for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM $ 67.98

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L Rohyans

Date: JULY 21, 19 94 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/ is Clerk of the The Journal-Gazette newspaper of general ulation printed and published in the English language in the (city) (town) of ort Wayne, IN in state and county aforesaid, and that the printed matter ached hereto is a true copy, which was duly published in said paper for 1 time _____, the dates of publication being as follows:

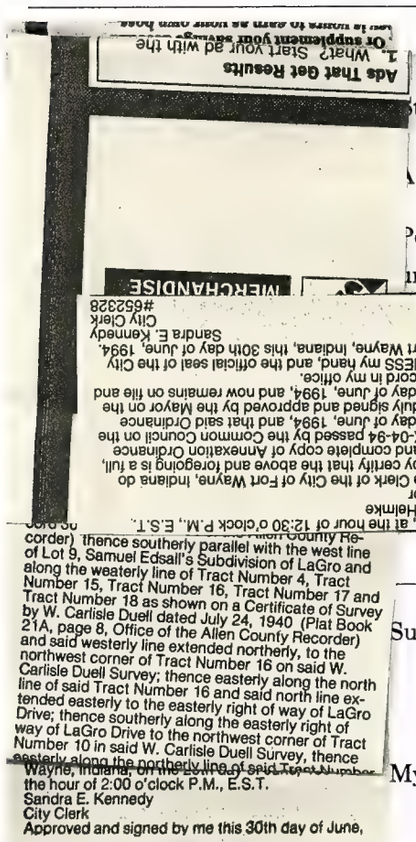
7/21/94

Julie L Rohyans

Subscribed and sworn to before me this 21st day of JULY, 19 94.

Anne M. Perkins
ANNE M PERKINS Notary Public
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. NOV. 29,1997

My commission expires: _____



Ads That Get Results
1. What? Start your ad with the
Or supplement your advertise
...is yours to earn as your own boss

MERCHANDISE

...4, at the hour of 12:30 o'clock P.M., E.S.T.
...ul Helmke
...yor
...he Clerk of the City of Fort Wayne, Indiana do
...eby certify that the above and foregoing is a full,
...e and complete copy of Annexation Ordinance
...X-04-94 passed by the Common Council on the
...th day of June, 1994, and that said Ordinance
...s duly signed and approved by the Mayor on the
...th day of June, 1994, and now remains on file and
...record in my office.
...TNESS my hand, and the official seal of the City
...Fort Wayne, Indiana, this 30th day of June, 1994.
Sandra E. Kennedy
City Clerk
#652328

...corder) thence southerly parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro and along the weaterly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder) and said westerly line extended northerly, to the northwest corner of Tract Number 16 on said W. Carlisle Duell Survey; thence easterly along the north line of said Tract Number 16 and said north line extended easterly to the easterly right of way of LaGro Drive; thence southerly along the easterly right of way of LaGro Drive to the northwest corner of Tract Number 10 in said W. Carlisle Duell Survey, thence easterly along the northerly line of said Tract Number ...
Wayne, Indiana, on the ... day of June, ...
the hour of 2:00 o'clock P.M., E.S.T.
Sandra E. Kennedy
City Clerk
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1994, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-94-06-11 Annexation Ordinance No. X-04-94 to-wit:

Bill No. X-94-06-11

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SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M, Wayne Civil Township, Allen County, Indiana, and part of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 61.4 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the east line of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Allen County, Indiana, said line also being the East line of Ansley Acres (Plat Book 10B, pages 54-55, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence westerly along the northerly right of way of Illinois Road, said line also being on the boundary of the Magnavox Way Annexation Area (Ordinance No. X-03-82), to the westerly right of way of Ansley Drive (Plat Book 10B, pages 54-55, Office of the Allen County Recorder and Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93); thence northeasterly and northerly along the westerly right of way line of Ansley Drive and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93) to the southeast corner of Lot 44, Ansley Acres; thence easterly along the southerly line of Lot 44, Ansley Acres extended easterly and the southerly line of Lot 9, Ansley Acres to the southeast corner of Lot 9, Ansley Acres; thence northerly along the east line of Ansley Acres, said line also being the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana to the north line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5; thence southerly parallel with and 496.43 feet normal distance east of 32 the west line of the SW 1/4 of said Section 5 to the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of said LaGro Reserve to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) thence southerly parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro and along the weaterly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder) and said westerly line extended northerly, to the northwest corner of Tract Number 16 on said W. Carlisle Duell Survey; thence easterly along the north line of said Tract Number 16 and said north line extended easterly to the easterly right of way of LaGro Drive; thence southerly along the easterly right of way of LaGro Drive to the northwest corner of Tract Number 10 in said W. Carlisle Duell Survey, thence easterly along the northerly line of said Tract Number 10 to the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder); thence southerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Times Corner Annexation Area (Ordinance No. X-21-68); thence westerly along the northerly right of way of Illinois Road and the boundary of the Times Corner Annexation Area to the point of beginning.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory.

The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City Of Fort Wayne with Similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. Thia assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on February 28, 1995. In the event of litigation challenging the ordinance, the territory shall become part of the City on the earlier of either December 31, 1994, or the first 28th day of February following any final judicial decisions resolving any legal challenge to the ordinance in favor of the City.

SECTION 6. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 66 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the first taxable year after December 31, 1995, and shall expire if the area is not part of the City on January 1, 1996.

SECTION 7. In the event no sufficient remonstrance is filed, individuals owning property in the annexation area shall be entitled to a 33 percent abatement of a portion of their property tax liability under I.C. 6-1.1 for municipal purposes as provided for by I.C. 36-4-3-8.5. Said tax abatement program shall be in effect for the second taxable year after December 31, 1996, and shall expire if the area is not part of the City on January 1, 1997.

Mark E. GiaQuinta
COUNCIL MEMBER

Read the third time in full and on motion by Ravine, and duly adopted, placed on its passage. PASSED by the following vote:
AYES: Nine
Bradbury, Edmonds, GiaQuinta, Henry, Long, Lunsey, Ravine, Schmidt, Talarico
NAYS: None
ABSENT: None
ABSTAINED: None
DATED: 6-28-94 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-94 on the 28th day of June, 1994

ATTEST: SEAL
Sandra E. Kennedy — Cletus R. Edmonds
City Clerk — Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of June, 1994, at the hour of 2:00 o'clock P.M., E.S.T
Sandra E. Kennedy
City Clerk

Approved and signed by me this 30th day of June, 1994, at the hour of 12:30 o'clock P.M., E.S.T.
Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-94 passed by the Common Council on the 28th day of June, 1994, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of June, 1994, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of June, 1994.
Sandra E. Kennedy

Accounts

General Form No. 99P (Revised 1987)

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

y, Indiana

PUBLISHER'S CLAIM

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Julie L Rohyans

Clerk

, 1994 Title:

PUBLISHER'S AFFIDAVIT

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) ss:
len County)

rsonally appeared before me, a notary public in and for said county and state, the
dersigned JULIE L ROHYANS who, being duly sworn, says that he/
e is Clerk of the The News-Sentinel newspaper of general
culation printed and published in the English language in the (city) (town) of
Fort Wayne, IN in state and county aforesaid, and that the printed matter
tached hereto is a true copy, which was duly published in said paper for
1 time , the dates of publication being as follows:

7/21/94

Julie L Rohyans

bscribed and sworn to before me this 21st day of JULY, 19 94.

Anne M. Perkins Notary Public

ANNE M PERKINS
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. NOV. 29,1997

y commission expires:

Form Prescribed by State Board of Accounts

General Form No. 99P (Revised 1987)

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

206 lines, 1 columns wide equals 206 equivalent lines at .33 cents per line $ 67.98

Additional charge for notices containing rule or tabular work (50 percent of above amount)

Charge for extra proofs of publication ($1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM $ 67.98

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L Rohyans

Date: JULY 21, 1994 Title: Clerk

PUBLISHER'S AFFIDAVIT

of Indiana)
) ss:
n County)

onally appeared before me, a notary public in and for said county and state, the rsigned JULIE L ROHYANS who, being duly sworn, says that he/ s Clerk of the The News-Sentinel newspaper of general lation printed and published in the English language in the (city) (town) of rt Wayne, IN in state and county aforesaid, and that the printed matter ched hereto is a true copy, which was duly published in said paper for time , the dates of publication being as follows:

7/21/94

Julie L Rohyans

ribed and sworn to before me this 21st day of JULY, 19 94.

Anne M. Perkins Notary Public

ANNE M PERKINS
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. NOV. 29,1997

y commission expires:

Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-94 passed by the Common Council on the 28th day of June, 1994, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of June, 1994, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of June, 1994.
Sandra E. Kennedy
City Clerk

COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Nadka Eshcoff

FROM: **Alan Tepfer**

RE: **Acura/Chevy Annexation,** Ordinance **X-04-94**

DATE: **September 26, 1994**

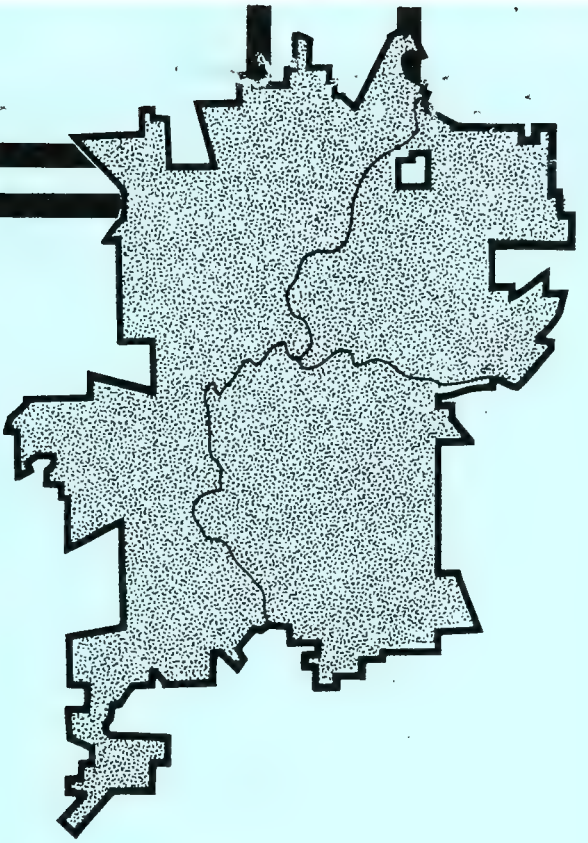
Per I.C. 36-4-3-22, please note that the annexation above was approved by the Common Council of Fort Wayne on **June 28, 1994.** The annexation was duly published on **July 5, 1994 and July 12, 1994.**

PLEASE NOTE THAT THIS ANNEXATION DOES NOT BECOME EFFECTIVE UNTIL **February 28, 1995.**

If you have any questions concerning this annexation, please contact Gary Stair at 427-1140.

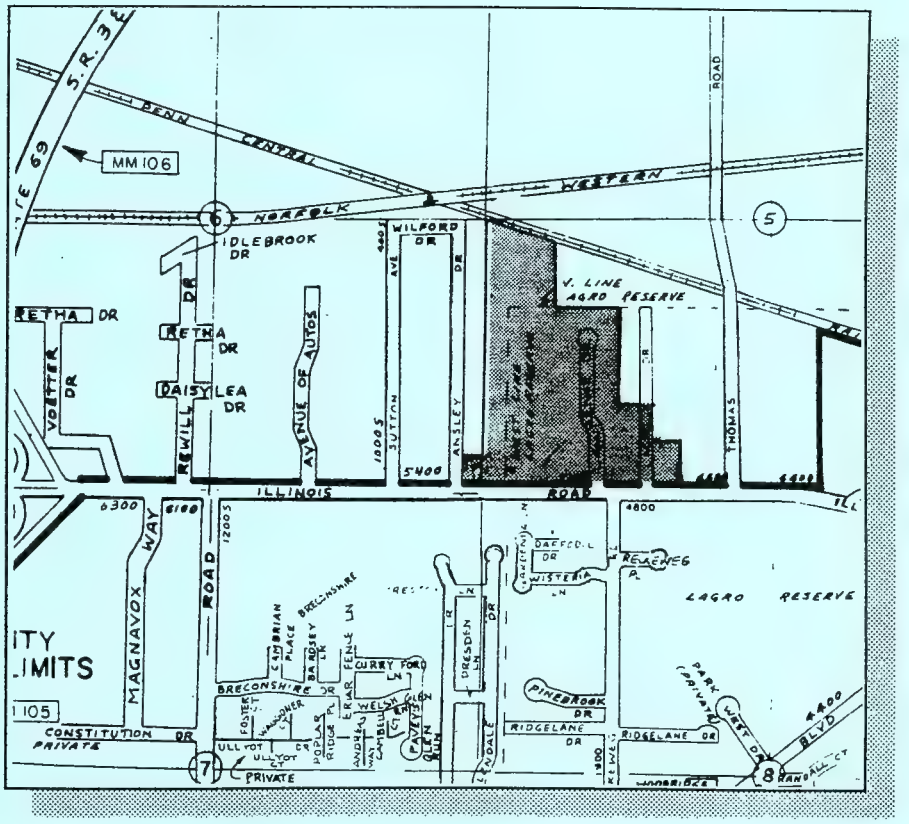
FISCAL PLAN

CITY OF FORT WAYNE
PAUL HELMKE, MAYOR



June 1994

Acura / Chevy Annexation



COMMUNITY & ECONOMIC DEVELOPMENT

ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

Gregg LaMar
Director
Division of Community and Economic Development

Gary Stair
Director of Planning

Fort Wayne City Plan Commission
Mel Smith, President
Ernest Evans, Vice President
Carol Kettler Sharp, Secretary
James Hoch
Thomas Quirk
Charles Layton
David Ross
Mark GiaQuinta
Vicky VerPlanck

RESEARCH AND PREPARATION

Alan Tepfer, Planner II
Pamela Holocher, Planner III

INTRODUCTION

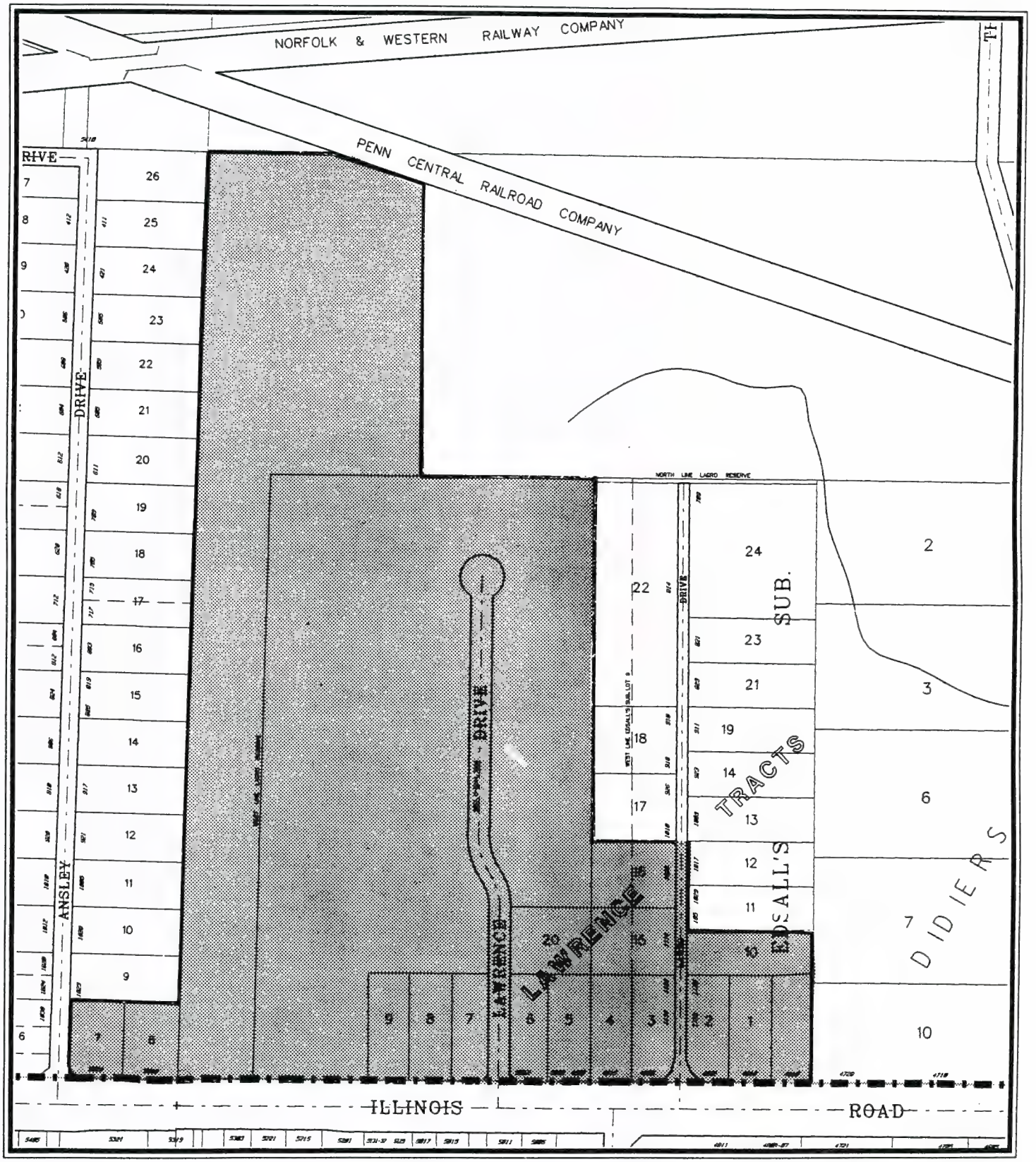
Over the past 20 years, the City of Fort Wayne has been pursuing a vigorous policy for annexing land adjacent to its corporate limits. This proposal is a logical continuation of this policy.

This fiscal plan outlines the applicable state legislation in respect to the annexation of commercial land and explains how the Acura/Chevy annexation area conforms to the state law requirements. The plan also provides basic data about the area, describes the services which will be furnished to the area upon annexation by the City of Fort Wayne, and summarizes the fiscal impact of this annexation upon the city.

A map of the Acura/Chevy Annexation Area is presented on the following page. Figure 1 delineates the Acura/Chevy Annexation Area with major boundary streets labeled.

FIGURE 1

ACURA / CHEVY ANNEXATION



ANNEXATION AREA

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SECTION ONE

BASIC DATA

A. LOCATION

The area proposed for annexation is located west of the City of Fort Wayne. It is generally located between Illinois Road on the south, and the Pennsylvania Railroad tracks on the north, Thomas Road on the east, and Ansley Drive on the west. (See Figure 2)

B. SIZE

The Acura/Chevy Annexation Area contains approximately 62.2 acres.

C. POPULATION

The Acura/Chevy Annexation does not consist of any complete 1990 Census Blocks. Most of the population within the relevant census block is located outside the annexation area. Block statistics from the 1990 U.S. Census of Population and Housing show that 117 persons resided in the census block in which the Acura/Chevy Annexation area is a small part. Based upon the 1990 Census rate of occupancy within the 11 housing units of this annexation area, an estimated 30 persons reside within this annexation area.

D. BUILDINGS

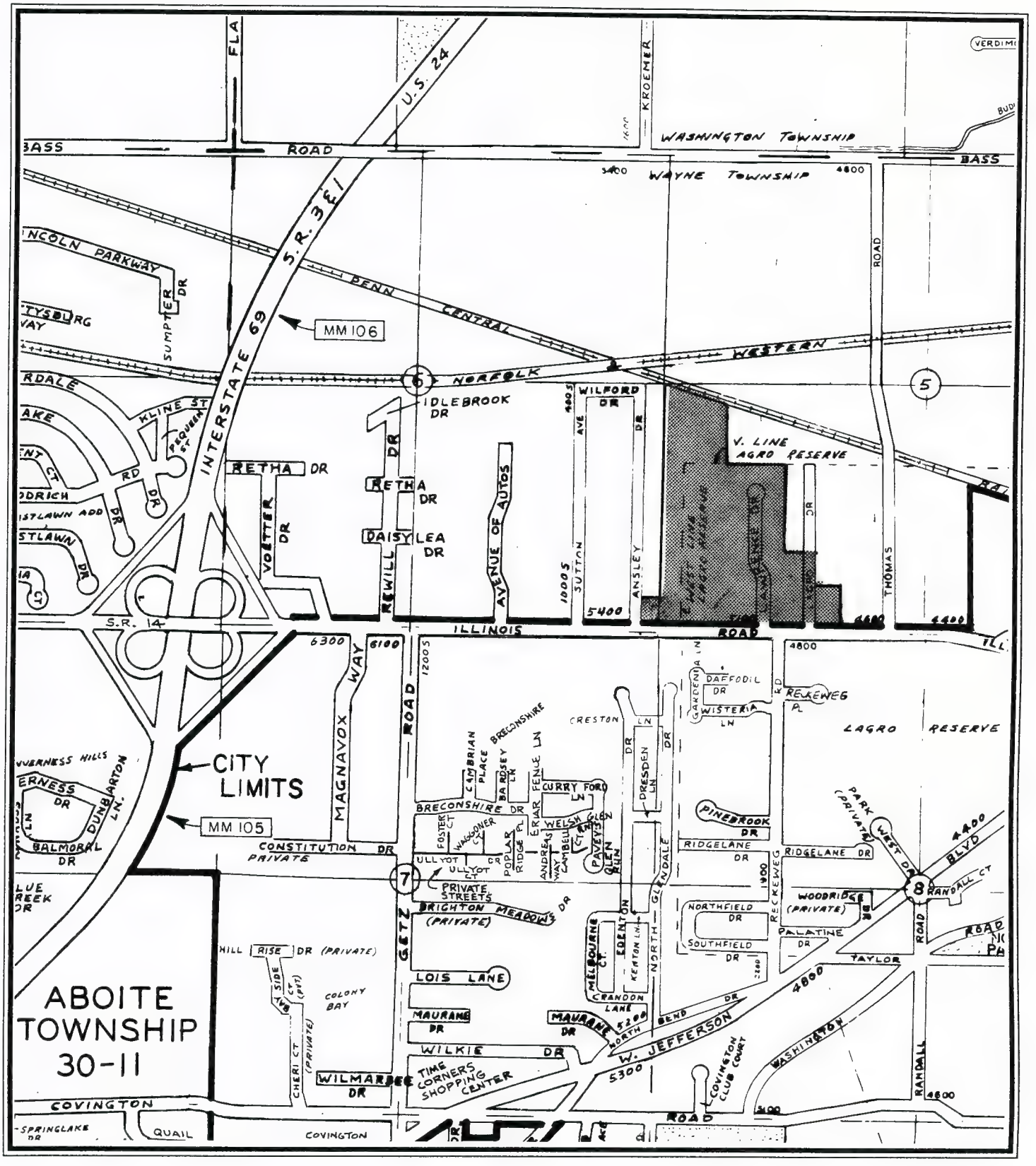
Commercial Buildings	9 structures
Residential Buildings	11 structures

E. PATTERNS OF LAND USE

	(Approximations) Acres	Percent
Vacant	41.1	66.1%
Commercial	10.9	17.5%
Residential	7.2	11.6%
Right-of-Way	3.0	4.8%
Total	62.2	100.0%

FIGURE 2

ACURA / CHEVY ANNEXATION



LOCATION

F. ZONING

The Acura/Chevy Annexation Area currently contains three zoning classifications. All of the area is zoned for commercial use (See Figure 3). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

County Zoning Classification	City Zoning Classification
C-1A(P) Planned Professional & Personnel Services	B1A Limited Business District
C-3 General Commercial	B3B General Business District
C-3(P) Planned General Commercial Business	B3B General Business District

G. TOPOGRAPHY

The Acura/Chevy annexation area contains several basic soil classifications: Blount Silt Loam (BmA, BmB2), Morley Silty Loam (MrB), and Pewamo Silty Clay Loam (Pe). It has been determined using U.S. Geological Survey Maps that the area has a nearly level to moderate sloping relief.

H. ASSESSMENT

Total Assessment of Land and Improvements:	$1,654,480
Total Assessment of Personal Property:	$1,359,490
Total Assessed Value:	$3,013,970

I. NET TAX RATES (1993 PAYABLE 1994 RATES)

Existing:(Wayne)	$ 6.946346	
After Annexation:	$ 8.894482	
Increase:	$ 1.948136	(28.04 percent increase)

J. COUNCIL DISTRICT

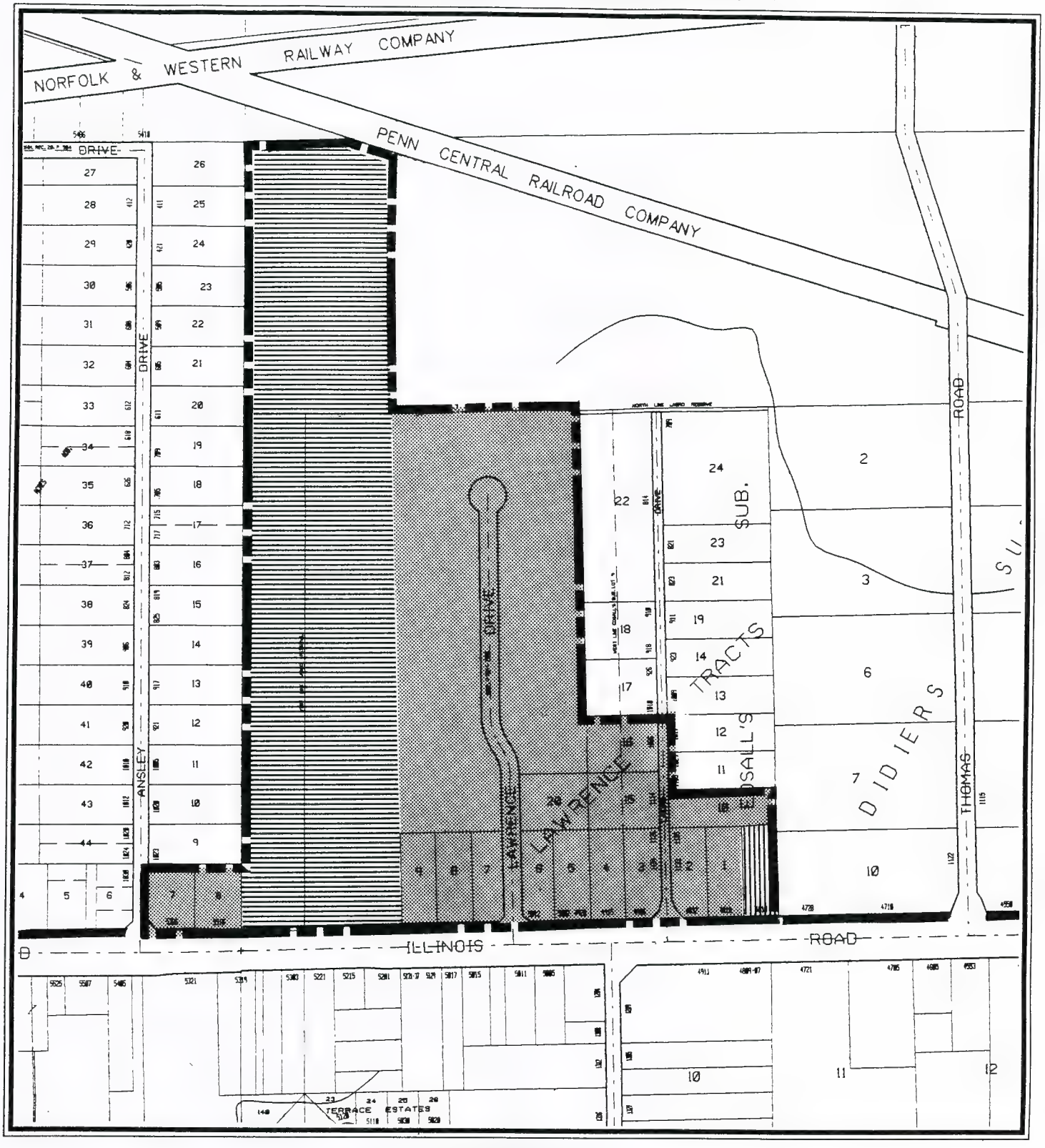
The Acura/Chevy annexation area will be initially assigned to City Council District 4, subject to any later statutorily-required reapportionment.

K. CONTIGUITY

The Acura/Chevy annexation area is over 24 percent contiguous to the City of Fort Wayne.

FIGURE 3

ACURA / CHEVY ANNEXATION



ZONING

C-3	General Commercial	C-1A (P)	Planned Professional & Personal Service
C-3 (P)	Planned General Commercial		

L. SELECTED AREA WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE AND POPULATION DENSITY

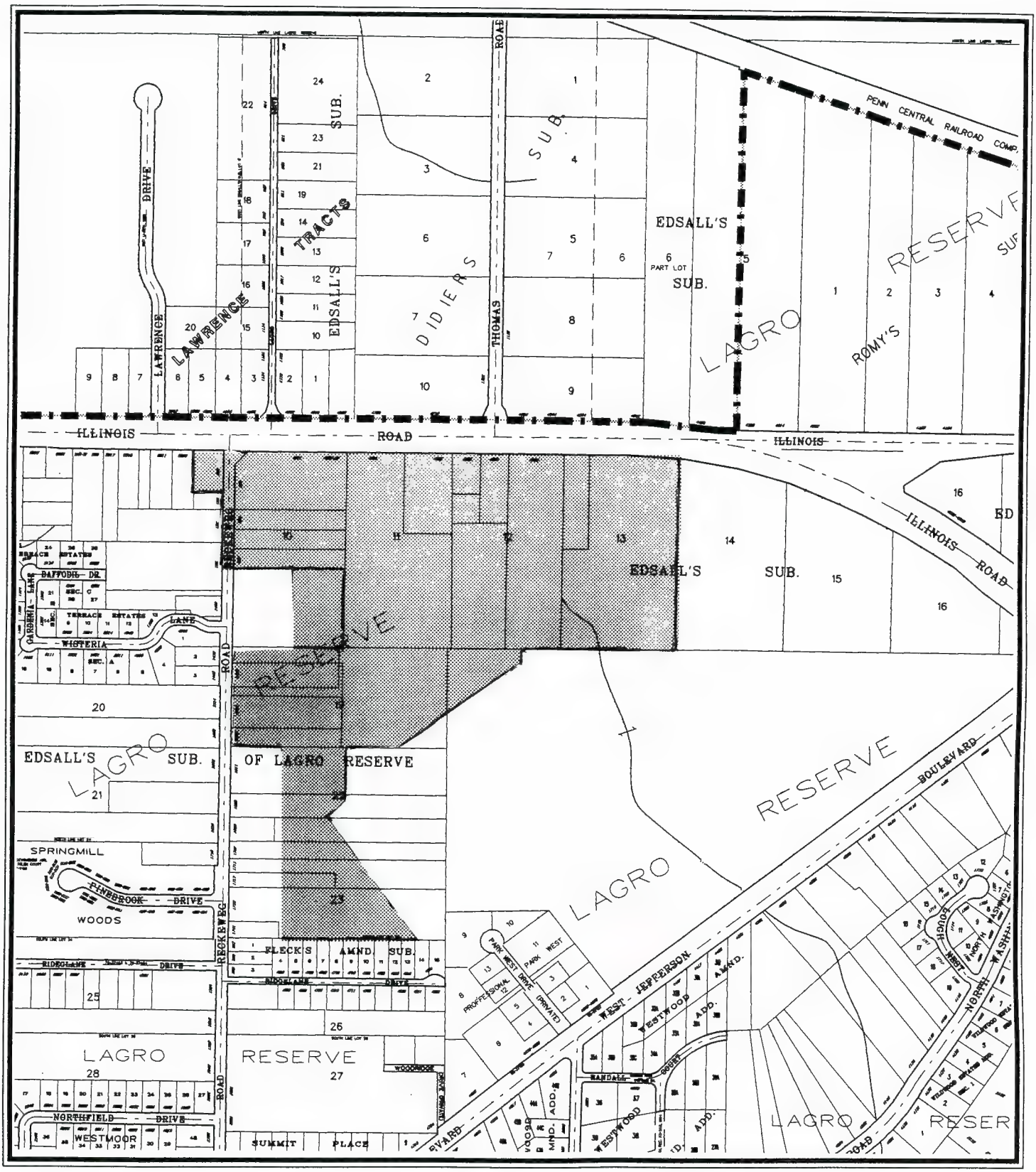
As the City of Fort Wayne has uniform service standards throughout its corporate boundaries, all areas of similar topography, patterns of land use and population density receive the same level of service. A representative area within the City comparable in topography, patterns of land use and population density to the Acura/Chevy annexation area is due south, across Illinois Road within the Time Corners Annexation Area (See Figure 4 on page 6 and the Comparison Chart below).

	Acura/Chevy Area	Time Corners Area
Topography:	0% to 6% slope	0% to 6% slope
Soils:	Blount, Morley, and Pewamo Soils	Blount, Morley, and Pewamo Soils
Patterns of Land Use:	Predominately Vacant, with Commercial, and Residential land	Predominately Vacant, with Commercial, and Residential land
Population Density:	Less than 1 person per acre	Less than 1 person per acre

No area within the City with similar topography, patterns of land use and population density as the Acura/Chevy Annexation is receiving services higher in standard or scope than those services proposed for the Acura/Chevy annexation area.

FIGURE 4

TIME CORNERS AREA



COMPARABLE AREA

SECTION TWO

The Comprehensive Annexation Program

The annexation of the Acura/Chevy area is part of a larger, comprehensive annexation program that was developed in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth." Because the Acura/Chevy area met this criteria in 1975-1976, the report identified it as part of a larger area (WAY-1) which was recommended for annexation.

Since 1976, six areas targeted for annexation within the (WAY-1) area in the Annexation Policy and Program Study have been annexed. These areas include: the Auto Mall, the K-Mart West Addition, Bostwick, Colony Bay, Breconshire, and the Magnavox Way Annexation.

SECTION THREE - STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, a municipality must be sure that the proposed annexation is in accordance with the State Law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. An annexing city must meet the guidelines of a least one of the options. The two options are:

1. The area must be at least one-eighth contiguous (12.5 percent) to the municipality and it must meet at least one of the following three conditions:
   (a) have a population density of at least three persons per acre;
   (b) be zoned for commercial business, or industrial uses;
   (c) be at least sixty percent subdivided.

2. The boundaries of the annexation area must be at least one-fourth contiguous (25 percent) to the municipality and the area must be needed and can be used by the municipality for its development in the reasonably near future.

In both instances, the municipality must also prepare a written fiscal plan. The fiscal plan must provide cost estimates of the services to be furnished to the annexed territory, together with the methods of financing such services.

The Acura/Chevy Annexation area meets the first option which has been established to determine the validity of annexations. The remainder of this section will explain how the Acura/Chevy Annexation area meets this requirement.

B. ONE-EIGHTH CONTIGUOUS

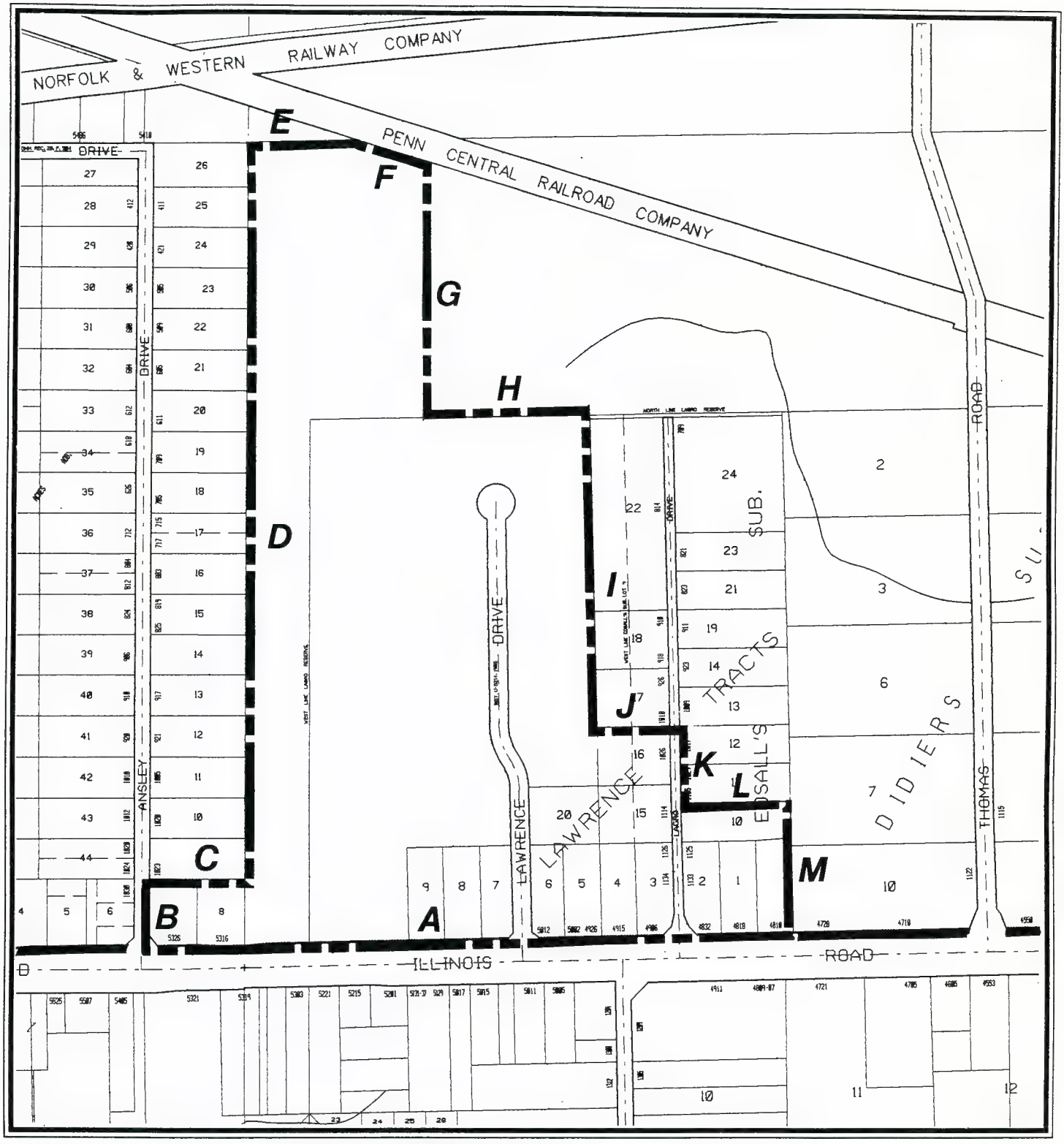
The Acura/Chevy Annexation area meets the following conditions for annexation. First, it is over 24 percent contiguous to the City of Fort Wayne. Second, the area is commercially zoned. Therefore, this annexation easily meets the 12.5 percent contiguity requirement mandated by State Statute.

C. CONCLUSION

The Acura/Chevy Annexation area should be annexed into Fort Wayne because it meets the annexation requirement which has been established by the State Legislature.

FIGURE 5

ACURA / CHEVY ANNEXATION



CONTIGUITY

CONTIGUOUS

A. 2121.7'

2121.7' (22.8%)

NON-CONTIGUOUS

B. 231.7'	**F. 143.3'**	**J. 263.3'**
C. 361.7'	**G. 848.3'**	**K. 248.5'**
D. 2340.0'	**H. 608.3'**	**L. 351.8'**
E. 359.3'	**I. 1006.7'**	**M. 421.7'**

TOTAL 7184.6' (77.2%)

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan projects costs and methods of financing municipal services for the Acura/Chevy Annexation area. How and when the City plans to extend non-capital services and capital improvements is also outlined in the following pages. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner. The municipal services described in this section are analyzed according to the needs of the Acura/Chevy Annexation area, the costs of providing services, and funding sources. It should be noted that the costs of providing municipal services have been rounded off to the nearest dollar and are calculated at today's dollar value. In addition, costs to provide municipal services to the Acura/Chevy Annexation area will be inflated in the Financial Summary Section, which follows this section.

As required by State Law the annexation area will receive planned services of non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

All services both of a non-capital nature and of a capital improvement nature described in subsequent subsections of the Municipal Services Section will be provided to the Acura/Chevy Annexation area in a manner equivalent in standard and scope to those capital and non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density, including but not limited to the Time Corners Area.

A. POLICE DEPARTMENT

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work, such as participation in court proceedings and the protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.

The Police Department has projected the number of police officers needed to protect the Acura/Chevy Annexation area. Statistics, including the number of calls for service and the average response times, were obtained from the Communications Department's Computer Aided Dispatch System (CAD) to project service needs and costs in the proposed annexation area.

It has been estimated that there will be 50 calls for service in the proposed annexation area annually. As a result, the Police Department has determined that no additional personnel will be needed to make the additional service calls to this area. Due to the extremely low number of projected calls for service, the additional workload will easily be assumed by the Fort Wayne Police Department. This area is almost exclusively a business district and will require only periodic checks or patrolling by District 5 units.

The cost to provide protection to this proposed annexation will be $761 per year. The cost is based upon an officer's average hourly rate of $19.32 multiplied by an estimated service time of 45 minutes spent per call for 50 calls. This yields a cost of $724.50. An additional 5 percent or $36.22 for other direct nonpersonnel costs is added to the above. This results in a total cost of $760.72.

Funding for police services in the annexation area will come from the Civil City Budget of the Police Department which is derived primarily from local property taxes through the General Fund.

CAPITAL COSTS:	$ 0
ESTIMATED ANNUAL OPERATING COSTS:	$761

B. FIRE PROTECTION

It is not clear at this time as to whom will ultimately provide fire service to the proposed annexation area. The reason for the confusion is that this area "appears" to lie within the jurisdiction served by the Southwest Allen County Fire District. If it is determined that the area is not within the Southwest Allen Fire District, then the City is obligated to provide fire service.

If the Fort Wayne Fire Department is responsible for providing fire protection services to the Acura/Chevy Annexation area services will be provided immediately upon annexation. The services provided include fire protection and suppression, emergency rescue, fire prevention and fire inspection, EMS support response on life hazards, hydrant maintenance, and public education.

Due to the small territory and its location next to other city covered areas, operating costs will be minimal. It is estimated there will be 5-10 calls for service per year in this area. The average 1992 operating costs per run is approximately $1,040.

Therefore, the Fire Department will incur costs of approximately $10,400 per year to provide fire protection to the area. No additional equipment will be needed to provide service to the proposed annexation area.

Primary response for fire protection in the Acura/Chevy Annexation area will come from Station #2 at 2023 Taylor and backup response from Station #7 at 1622 Lindenwood. The response time is estimated to be 5-7 minutes.

CAPITAL COSTS:	$ 0
ESTIMATED ANNUAL OPERATING COSTS:	$10,400

C. EMERGENCY MEDICAL SERVICE (EMS)

At the present time, Three Rivers Ambulance Authority is the only provider of ambulance service to City residents. Three Rivers Ambulance Authority is currently providing emergency medical services (life-threatening and non-life-threatening), and medical transporting of all persons within the community. Emergency responses are in conjunction with the local volunteer ambulance service with no required response times at present.

Using service run records over the past several years, as many as six EMS ambulances will be stationed at different locations throughout the community. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. In addition, for some emergencies such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station #2. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, fire fighters are able to administer medical treatment to residents before the ambulance arrives.

The method of financing Emergency Medical Services is based on user fees. The current charges for ambulance service are shown below:

1. $120 plus $5 per loaded mile for non-emergency transfer scheduled 24 hours in advance.
2. $170 plus $5 per loaded mile for non-scheduled non-emergency transfers.
3. $380 plus $7.50 per loaded mile for all emergencies for City and non-City plus $30 fee for emergency response.

This method of financing permits service to be extended to the annexation area with its existing budget, while no additional manpower or equipment will be needed to service the annexation area.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST	$0

D. SOLID WASTE DISPOSAL

The Solid Waste Department currently oversees garbage and non-freon appliance collection with the City of Fort Wayne. The service is provided through a contract with Waste Management Inc. This contract is scheduled to expire on December 31, 1994. Currently, garbage service is paid via a $5 per month user fee per single family household subsidized with property taxes. The amount of property tax residents of the Acura/Chevy Annexation area will pay to subsidize solid waste collection is negligible. In the future, the City may award new contracts for garbage, yard waste and curbside recycling. These new services would possibly increase the user fee to $6.50.

In addition, the Solid Waste Department oversees the composting program at 5510 Lake Avenue, and contracts with Appliance Recycling Centers of America Inc.(ARCA) to pick up illegally dumped freon appliances. Residents of the annexation area will be able to take up to 1/2 ton of yard waste to the composting site at no charge. Residents will also be able to contact ARCA for collection and recycling of their freon appliances for $35 per appliance.

Upon annexation, Fort Wayne will provide residential garbage collection to the Acura/Chevy Annexation area in the same manner as it provides garbage collection to comparable areas within the City. The City currently contracts with Waste Management of Fort Wayne to supply this service.

These services will be available to the residents of the annexation area immediately upon annexation. It will not be necessary for the City to hire additional personnel or purchase additional equipment to provide these services.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST:	$0

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area immediately after the effective date of annexation. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. The department also provides installation and maintenance of traffic control devices such as stop lights and control signs. Since no additional signing or painting is required in the area, no additional personnel or material costs are initially anticipated. The added area should result in a minimal reduction of services to the remainder of the city.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST:	$0

TABLE 4
REVENUES MINUS EXPENSES

YEAR	EXPENDITURES	PROPERTY TAX REVENUE	MVH & LARS	BALANCE
1995	$34,097			-$ 34,097
1996	16,470	$26,562	$3,158	13,250
1997	17,128	54,437	3,158	40,467
1998	17,813	84,499	3,158	69,844
1999	18,526	87,879	3,158	72,511
TOTALS	$104,034	$253,377	$12,632	$161,975

D. RECOMMENDATION

This Fiscal Plan, which meets the State Law requirements that a fiscal plan be prepared, shows that the Acura/Chevy Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on February 28, 1995.

APPENDIX

ACURA/CHEVY ANNEXATION LEGAL DESCRIPTION

Part of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M, Wayne Civil Township, Allen County, Indiana, and part of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, containing 61.4 acres, more or less, and more particularly described as follows:

Beginning at the intersection of the east line of the SE 1/4 of Section 6, T30N, R12E, 2nd P.M., Allen County, Indiana, said line also being the East line of Ansley Acres (Plat Book 10B, pages 54-55, Office of the Allen County Recorder) with the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence westerly along the northerly right of way of Illinois Road, said line also being on the boundary of the Magnavox Way Annexation Area (Ordinance No. X-03-82), to the westerly right of way of Ansley Drive (Plat Book 10B, pages 54-55, Office of the Allen County Recorder and Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93); thence northeasterly and northerly along the westerly right of way line of Ansley Drive and also being on the boundary of the Auto Mall Annexation Area (Ordinance No. X-03-93) to the southeast corner of Lot 44, Ansley Acres; thence easterly along the southerly line of Lot 44, Ansley Acres extended easterly and the southerly line of Lot 9, Ansley Acres to the southeast corner of Lot 9, Ansley Acres; thence northerly along the east line of Ansley Acres, said line also being the west line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana to the north line of the SW 1/4 of Section 5, T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of the SW 1/4 of said Section 5 to the south right of way of the Consolidated Rail Corporation (formerly the Pennsylvania Rail Road); thence southeasterly along the south right of way of the Consolidated Rail Corporation to a point 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5; thence southerly parallel with and 496.43 feet normal distance east of the west line of the SW 1/4 of said Section 5 to the north line of LaGro Reserve in T30N, R12E, 2nd P.M., Allen County, Indiana; thence easterly along the north line of said LaGro Reserve to a point 117.41 feet west of the northwest corner of Lot 9, Samuel Edsall's Subdivision of LaGro (Deed Record 30, page 160, Office of the Allen County Recorder) thence southerly parallel with the west line of Lot 9, Samuel Edsall's Subdivision of LaGro and along the westerly line of Tract Number 4, Tract Number 15, Tract Number 16, Tract Number 17 and Tract Number 18 as shown on a Certificate of Survey by W. Carlisle Duell dated July 24, 1940 (Plat Book 21A, page 8, Office of the Allen County Recorder) and said westerly line extended northerly, to the northwest corner of Tract Number 16 on said W. Carlisle Duell

Survey; thence easterly along the north line of said Tract Number 16 and said north line extended easterly to the easterly right of way of LaGro Drive; thence southerly along the easterly right of way of LaGro Drive to the northwest corner of Tract Number 10 in said W. Carlisle Duell Survey, thence easterly along the northerly line of said Tract Number 10 to the westerly line of Didier's Subdivision of LaGro Reserve (Deed Record 64, page 172, Office of the Allen County Recorder); thence southerly along the westerly line of Didier's Subdivision of LaGro Reserve to the northerly right of way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963) and also being on the boundary of the Times Corner Annexation Area (Ordinance No. X-21-68); thence westerly along the northerly right of way of Illinois Road and the boundary of the Times Corner Annexation Area to the point of beginning.

F. STREETS AND ROADS

The incorporation of the Acura/Chevy Annexation area will add .5 miles of streets to the City street system. Of this total, there are .18 miles of residential streets and .32 miles of commercial roads, all of which are in fair condition.

The Fort Wayne Street Department will be responsible for the general maintenance of all streets in the proposed annexation area immediately upon the effective date of annexation. General maintenance includes snow and ice removal as well as berm work.

Leaf removal, street sweeping and grass mowing are all under the auspices of the Street Department. The Street Engineering Department will provide engineering services and construction supervision for all streets, alleys and sidewalks that will be constructed within the annexation area. The provision of these services to the annexation area will require no additional personnel or equipment. The citywide average cost for general street maintenance is $5,912 per mile of street per year. Therefore, the annexation will cost the city approximately $2,956 per year in street maintenance costs.

The Street Department has determined that the annexation of the Acura/Chevy area, in addition to the other annexations along Illinois Road, will necessitate the purchase of a one-ton truck with a snow plow. The total cost for this truck is $30,000. Other annexation areas along Illinois Road will utilize the services proveded by this truck, and therefore will share the financing of its purchase. The Acura/Chevy area will be responsible for 63.33% ($18,999) of the total cost of the truck. These costs will be incurred as a capital expense the first year of annexation.

The funding source for street maintenance is the Street Department budget which is made up of funds from the Motor Vehicle Highway (MVH) Program. The Street Engineering Department funds come from the MVH, and Local Arterial Roads and Streets (LRS) Programs.

CAPITAL COST:	$18,999
ESTIMATED ANNUAL COST:	$ 2,956

G. PARKS AND RECREATION

Residents of the proposed annexation area will have access to city park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc.

The Fort Wayne Parks and Recreation Department will trim and prune trees within public rights-of-ways per the Comprehensive Tree Maintenance Program within the proposed Acura/Chevy annexation area. The department will also be responsible for any tree removal

or treatment that poses a public safety hazard. At the time of annexation a street tree survey would be done to determine how many trees would be needed, only if curbs and sidewalks exist. The cost per tree is $32.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST:	$0

H. WATER

The Fort Wayne Water Utility is presently serving all portions of the Acura/Chevy Annexation area. Also, when the area is annexed into the City, the property owners who are using the Fort Wayne Utility System will no longer have to pay the out-of-City rate.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST:	$0

I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility $221.26 annually for each hydrant located within the City. The money the City will pay the Water Utility for hydrant maintenance will be taken from the General Fund.

Currently the Acura/Chevy Annexation area contains 8 fire hydrants, of which 4 are currently owned by City Utilities. As a result, the City will pay the Water Utility $885 a year after the area is annexed into the City.

CAPITAL COST:	$ 0
ESTIMATED ANNUAL COST:	$ 885

J. SANITARY SEWERS

Presently, the Fort Wayne Department of Water Pollution Control (WPC) provides sanitary sewers to portions of the Acura/Chevy Annexation area. The Fort Wayne Department of Water Pollution Control will provide engineering services as needed for additional sanitary sewers. If additional sanitary sewer service is desired, the City's Water Pollution Control Department has the capability to provide this service. However, residents will first have to petition to the Board of Public Works. Residents will also have to pay for such a service. Upon annexation, residents will be able to take advantage of the Barrett Bonding process which permits residents to make long-term, low interest payments for their sewers.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST:	$0

K. **STORM SEWERS**

Upon annexation, the Fort Wayne Department of Water Pollution Control will consider storm sewer installation upon petition by property owners. The City will provide engineering services for such a project. Certain storm drainage improvements may be funded from the City's Storm Water Utility. Emergency and routine maintenance of public drainage systems which are up to City standards will be the responsibility of the City's Sewer Maintenance Department after annexation. Most stormwater improvements are funded through either Stormwater Utility funds, property owner participation funding, City Council COIT money, occasional grants or through private development.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST:	$0

L. **STREET LIGHTING**

It is the goal of the City to light every intersection in Fort Wayne, to reduce night accidents, aid in police protection, facilitate the traffic flow, and inspire community spirit and growth. The City will place city-standard street light at all intersections within the Acura/Chevy Annexation area that do not have them. In order to expedite the installation of street lights, residents should petition the Street Lighting Department. The City will pay the construction costs for the installation of city-standard lighting with overhead wiring at the unlit intersections where residents desire this type of lighting.

These capital costs will be funded predominately from the General Fund. Operating costs will be paid by the City through the regular department budget.

The Street Light Engineering Department has determined that 3 lights will be added in the first year of annexation at a cost of $600 per light, totalling $1,800. The total energy and maintenance costs associated with this within this annexation is estimated at $225 per year. No additional manpower or equipment will be needed for this annexation.

CAPITAL COST:	$1,800
ESTIMATED ANNUAL COST:	$ 225

M. **ANIMAL CONTROL**

The Fort Wayne Department of Animal Control will provide various services to the Acura/Chevy annexation area immediately upon the effective date of annexation. The services this department will provide, include, but are not limited to, the sheltering of stray animals, response to animal complaints and emergencies, 24-hour service (seven days a week including holidays), canvassing for unconfined strays, trap rental, pet adoption, and a humane

education program. With the volume of potential pet owners being very low, the department anticipates minimal additional impact and negligible expense.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST:	$0

N. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the Acura/Chevy annexation area residents immediately upon the effective date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Commission, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions for the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size and population of an area. Consequently, this plan does not include cost estimates. However, expansion of administrative functions is possible. Funding comes from a variety of sources, including the General Fund, the State and Federal Government.

CAPITAL COST:	$0
ESTIMATED ANNUAL COST:	$0

SECTION FIVE

PLAN FOR HIRING GOVERNMENTAL EMPLOYEES DISPLACED BY ANNEXATION

It is not anticipated that, due to the annexation of the Acura/Chevy area, any governmental employees will be eliminated from other governmental agencies. However, if any government employee is displaced as a result of this annexation and makes application with the City of Fort Wayne for employment within thirty days after displacement, such employee will be treated as if the employee were a City employee on "lay-off" status for purposes of hiring for any vacant position similar to the government position from which the individual was displaced.

SECTION SIX

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures of the proposed Acura/Chevy Annexation area. This section will also provide a five year summary for the years 1995 to 1999 of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Acura/Chevy Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Wayne Township Assessor. The formula for computing tax revenue is shown in Table 1.

TABLE 1
TAX REVENUE FORMULA

$$\frac{V-E}{100}\ (T) = TR$$

WHERE:
V = Assessed Valuation
E = Home Mortgage Exemption ($1,000)
T = City Tax Rate
TR = Tax Return

The total assessed valuation of the Acura/Chevy Annexation area is $3,013,970. The home mortgage exemption is deducted from the total. There are eleven residential structures in the proposed annexation area. Assuming that the property owner is eligible for a home mortgage exemption of $1,000, the total taxable assessed valuation is $3,002,970. Property tax revenue for 1994 can then be determined by applying the City tax rate to this figure (See Table 4) giving a total property tax revenue of $72,230. Using a 4.0 percent annual rate of inflation, the property tax revenue for 1996, the first year taxes would be due in the Acura/Chevy Annexation area, would be $78,124. If we apply a 66 percent abatement (as proposed by the City for taxes due in 1996) to this figure, the net revenue becomes $26,562. A portion of this revenue would be supplied from the State Property Tax Relief Fund. A 33 percent abatement is used to calculate property tax revenue for 1997, with full taxes payable in 1998.

The Acura/Chevy annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the

Local Arterial Roads and Streets Fund (LARS). These funds are allocated based on street miles. In 1992, the City received $6,316 per street mile in combined MVH and LARS Funds. This annexation will add .5 miles to the City's street system. Therefore, the City will receive an additional $3,158 from MVH and LARS Funds. These funds will be received yearly beginning one year after the effective date of annexation.

The following table shows the area's Taxing District Rate.

TABLE 2
TAXING DISTRICT RATE

Corporation General	$1.5893
Corporation Debt Service	0.3402
Police Pension	0.0970
Sanitary Officers Pension	0.0175
Park General	0.3468
Redevelopment General	0.0145
TOTAL	$ 2.4053

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax, County Option Income Tax, County Economic Development Tax, and the Alcoholic Beverage Tax. Some of these funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Acura/Chevy Annexation cannot be calculated. Still, most of these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 3. Capital costs are one time expenditures, while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, all capital improvement projects must follow routine city procedures which often require petitioning.

On the following page Table 3 details the costs that will be incurred by each department upon the annexation of the Acura/Chevy Annexation area. These costs do not reflect the inflation factor used to calculate the five year revenue summary shown in Table 4.

TABLE 3
EXPENDITURES

DEPARTMENT	CAPITAL COSTS	OPERATING COSTS
Police Department	$ 0	$ 761
Fire Department	0	10,400
EMS	0	0
Solid Waste Disposal	0	0
Traffic Control	0	0
Streets	18,999	2,956
Parks	0	0
Water	0	0
Fire Hydrants	0	885
Sanitary Sewers	0	0
Storm Sewer	0	0
Street Lighting	1,890	225
Animal Control	0	0
Administrative Functions	0	0
TOTALS	$20,889	$15,227

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Acura/Chevy Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years a five percent inflation factor for capital expenditures, a four percent inflation factor for operating costs, and a four percent increase factor for City revenues.

Property tax revenue from the annexation area will not be collected until 1996. Assuming the area is annexed on February 28, of 1995, assessment will not occur until March of 1995, with revenues being collected in 1996. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of $15,097 in 1995. On the following page, Table 4 details the revenues minus the expenses for the Acura/Chevy Annexation over the next five year period.